

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
CENTRAL DIVISION

BRENDA BURTON and  
HOLLIE TELFORD,

)

Plaintiff,

)

v.

)

No. 16-CV-3033

)

UNITED STATES OF AMERICA, )

ALAN B. JOHNSON, NENA JAMES )

AND THOMAS DEERING IN THEIR )

INDIVIDUAL OFFICIAL CAPACITIES, )

ROCK SPRINGS HOUSING )

AUTHORITY, APRIL THOMPSON, )

GLOBAL E, LLC AKA PIONEER )

PARK, ANN CLAYTON, )

JUDY CIRILLO, CENTURYLINE, )

HOLLIE PORTILLO, O'KELLEY )

H. PEARSON, LAW OFFICE OF )

HICKEY AND EVANS, LLP, )

DONALD THATCHER, EVA )

TAFOYA, HUD, AND DOES 1-10, )

)

Defendants.

)

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AFFIDAVIT OF ANN CLAYTON

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The State of Wyoming )

:ss

County of Sweetwater )

COMES NOW, Ann Clayton, after being duly sworn upon her oath, and deposes and states as follows:

1. My name is Ann Clayton. I am the manager of Globe E, LLC d/b/a Pioneer Park's (hereinafter "Pioneer Park") office located at 1104 Wilderness Trail, Green River, Wyoming.



Pioneer Park is a mobile home community located in Green River, Wyoming. If called as a witness to any proceeding in this matter, the statements herein would be consistent with any live testimony.

2. I have been concerning myself with Ms. Hollie Telford for several years now.

3. As part of those efforts, in 2015 I instructed, pursuant to the desires of my superiors, my attorney to commence an eviction action to remove Ms. Telford from Pioneer Park, as she was not a lawful resident there. I wanted to evict Ms. Telford from 935 Wilderness Trail, Green River, Wyoming.

4. There were three Defendants to said eviction action. One was Ms. Telford. The other was Ms. Telford's sister, Marti Lundahl. The third was Kimberly Vogt, who I was told owned the mobile home located at 935 Wilderness Trail in Green River, Wyoming.

5. Before this action, I had never heard of Brenda Burton, despite my having to deal with Ms. Telford for several years and with Ms. Telford having sued me personally several times.

6. I was shocked when I was "served" with the instant summons and second Amended Complaint.

7. I have received three copies of the same. One copy, containing a summons directed to Pioneer Park, was delivered to me at the office address listed above by Marti Lundahl, with Ms. Telford present videotaping the procedure. The other two copies of summonses and Second Amended Complaints were shoved in a drop box located at 1104 Wilderness Trail, Green River, Wyoming.

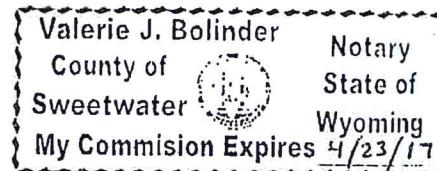
8. None of the instant matters concern anything related to the State of South Dakota.
9. My company desired and still desires to evict Ms. Telford from 935 Wilderness Trail, located in Green River, Wyoming.
10. South Dakota had never been even mentioned prior to this action.
11. The eviction proceedings occurred in the State of Wyoming.
12. Pioneer Park has no connection with the State of South Dakota. My Pioneer Park has no properties there, and does not even advertise in the State of South Dakota. Instead, my company is a Colorado entity, as stated in the Second Amended Complaint.
13. I am a resident of the State of Wyoming.
14. I have absolutely no ties to the State of South Dakota. I have no business there, I have no property there, I have no family there, and the only contact that I have had with the State of South Dakota was a family vacation thirty seven years ago. I don't even think about the State of South Dakota.
15. It would be incredibly inconvenient for me to have to defend this matter in the State of South Dakota, especially since this was a simple eviction matter in the State of Wyoming. I reside in Green River, Wyoming. It is approximately a twelve (12) hour drive one-way to Pierre South Dakota. I cannot miss time from work to defend this action and attend Court in this Court. I cannot also afford the same.

DATED this 19 day of December, 2016.

*Ann Clayton*  
ANN CLAYTON

Subscribed and sworn to before me this 19<sup>th</sup> day of December, 2016 by Ann Clayton.

Witness my hand and official seal.



*Valerie J. Bolinder*  
Notary Public

My commission expires: 4/23/2017

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UNITED STATES OF AMERICA,  
ALAN B. JOHNSON, NENA JAMES  
AND THOMAS DEERING IN THEIR  
INDIVIDUAL OFFICIAL CAPACITIES,  
ROCK SPRINGS HOUSING  
AUTHORITY, APRIL THOMPSON,  
GLOBAL E, LLC AKA PIONEER  
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JUDY CIRILLO, CENTURYLINE,  
HOLLIE PORTILLO, O'KELLEY  
H. PEARSON, LAW OFFICE OF  
HICKEY AND EVANS, LLP,  
DONALD THATCHER, EVA  
TAFOYA, HUD, AND DOES 1-10,

Defendants.

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AFFIDAVIT OF JUDY LUCERO

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The State of Wyoming )  
:ss  
County of Sweetwater )

COMES NOW, Judy Lucero, after being duly sworn upon her oath, and deposes and states  
as follows:

1. My name is Judy Lucero. My address is 917 Daniel Boone, Green River, Wyoming. I was  
an employee of Pioneer Park during the time in which Pioneer Park attempted to evict Ms. Telford  
from 935 Wilderness Trail, Green River, Wyoming. If called as a witness to any proceeding in this  
matter, the statements herein would be consistent with any live testimony.

2. I have been sued by Ms. Telford in the past and was even a witness at the eviction proceedings.

3. South Dakota had never been even mentioned prior to this action.

4. The eviction proceedings occurred in the State of Wyoming.

5. I am a resident of the State of Wyoming.

6. I have absolutely no ties to the State of South Dakota. I have no business there, I have no property there, I have no family there, and I have never crossed into South Dakota's border. I don't even think about the State of South Dakota.

7. It would be incredibly inconvenient for me to have to defend this matter in the State of South Dakota, especially since this was a simple eviction matter in the State of Wyoming. I reside in Green River, Wyoming. It is approximately a twelve (12) hour drive one-way to Pierre South Dakota. I cannot miss time from work to defend this action and attend Court in this Court. I cannot also afford the same. This is especially true considering that this is a simple Wyoming eviction matter involving Wyoming property.

DATED this 19 day of December, 2016.

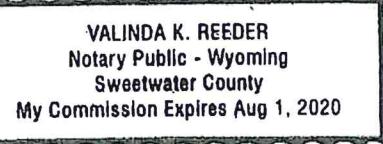
Judy Lucero  
JUDY LUCERO

Subscribed and sworn to before me this 19th day of December, 2016  
by Judy Lucero.

Witness my hand and official seal.

Valinda K. Reeder  
Notary Public

My commission expires: 8-1-20.



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GLOBAL E, LLC AKA PIONEER )  
PARK, ANN CLAYTON, )  
JUDY CIRILLO, CENTURYLINE, )  
HOLLIE PORTILLO, O'KELLEY )  
H. PEARSON, LAW OFFICE OF )  
HICKEY AND EVANS, LLP, )  
DONALD THATCHER, EVA )  
TAFOYA, HUD, AND DOES 1-10, )  
Defendants. )

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AFFIDAVIT OF Scott D Jackson

The State of Colorado )  
:ss  
County of Benton )

COMES NOW, Scott D Jackson, being duly sworn upon his oath, and deposes and states as follows:

1. My name is Scott D Jackson. I am a principal for Pioneer Park. As an officer of the limited liability company, I know of all of the activities of said company. If called as a witness to any proceeding in this matter, the statements herein would be consistent with any live testimony.
2. Pioneer Park has absolutely no contacts with the State of South Dakota. It does not advertise there, it has not property there, and it transacts absolutely no business there.

3. Instead, Pioneer Park is a Wyoming limited liability company, authorized to conduct business in the State of Wyoming.

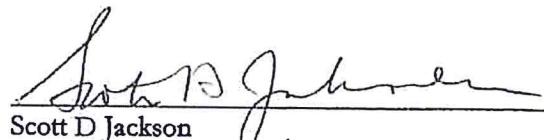
4. I would not expect my company to have to defend a suit in the State of South Dakota at any time.

5. This is especially true considering the instant situation. All I wanted my employees to do was evict Ms. Telford from 935 Wilderness Trail, Green River, Wyoming.

6. My company has never had to evict tenants in the Green River park in the State of South Dakota, and it should not have to expect to do so.

7. It would be incredibly burdensome and expensive for my company to have to defend this suit in the State of South Dakota, especially considering that this is a Wyoming eviction action. I would have to have my manager in Green River, Wyoming off of work, with no one to manage my Green River Office. I would also have to pay my employees to travel twelve hours one way, miss work, and pay for their food and lodging despite the fact that this is a Wyoming eviction action.

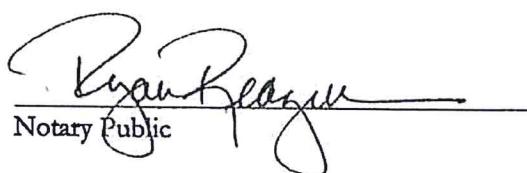
DATED this 21 day of December, 2016.

  
\_\_\_\_\_  
Scott D Jackson

Subscribed and sworn to before me this 21 day of December, 2016  
by.

Witness my hand and official seal.



  
\_\_\_\_\_  
Ryan Reazin  
Notary Public

My commission expires: 7-10-2020